

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

SECURITIES AND EXCHANGE  
COMMISSION,

Plaintiff,

vs.

SPOT TECH HOUSE, LTD., *formerly  
known as*, SPOT OPTION, LTD.,

MALHAZ PINHAS  
PATARKAZISHVILI, *also known as*  
PINI PETER and PINHAS PETER,

and

RAN AMIRAN,

Defendants,

2:21-cv-00632

**FINAL JUDGMENT AS TO  
DEFENDANT RAN AMIRAN**

The Securities and Exchange Commission having filed a Complaint and Defendant Ran Amiran (“Defendant”) having entered a general appearance; consented to the Court’s jurisdiction over him and the subject matter of this action; consented to entry of this Final Judgment without admitting or denying the allegations of the Complaint (except as to jurisdiction and except as otherwise

provided herein); waived findings of fact and conclusions of law; and waived any right to appeal from this Final Judgment:

I.

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that Defendant is permanently restrained and enjoined from violating Section 5 of the Securities Act [15 U.S.C. § 77e] by, directly or indirectly, in the absence of any applicable exemption:

- (a) Unless a registration statement is in effect as to a security, making use of any means or instruments of transportation or communication in interstate commerce or of the mails to sell such security through the use or medium of any prospectus or otherwise;
- (b) Unless a registration statement is in effect as to a security, carrying or causing to be carried through the mails or in interstate commerce, by any means or instruments of transportation, any such security for the purpose of sale or for delivery after sale; or
- (c) Making use of any means or instruments of transportation or communication in interstate commerce or of the mails to offer to sell or offer to buy through the use or medium of any prospectus or otherwise any security, unless a registration statement has been filed with the Commission as to such security, or while the registration statement is the subject of a refusal order or stop order or (prior to the effective date of the registration statement) any public proceeding or examination under Section 8 of the Securities Act [15 U.S.C. § 77h].

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that, as provided in Federal Rule of Civil Procedure 65(d)(2), the foregoing paragraph also binds the following who receive actual notice of this Final Judgment by personal service or otherwise: (a) Defendant's officers, agents, servants, employees, and

attorneys; and (b) other persons in active concert or participation with Defendant or with anyone described in (a).

II.

IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED that Defendant is permanently restrained and enjoined from violating, directly or indirectly, Section 10(b) of the Securities Exchange Act of 1934 (the “Exchange Act”) [15 U.S.C. § 78j(b)] and Rule 10b-5 promulgated thereunder [17 C.F.R. § 240.10b-5], by using any means or instrumentality of interstate commerce, or of the mails, or of any facility of any national securities exchange, in connection with the purchase or sale of any security:

- (a) to employ any device, scheme, or artifice to defraud;
- (b) to make any untrue statement of a material fact or to omit to state a material fact necessary in order to make the statements made, in the light of the circumstances under which they were made, not misleading; or
- (c) to engage in any act, practice, or course of business which operates or would operate as a fraud or deceit upon any person.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that, as provided in Federal Rule of Civil Procedure 65(d)(2), the foregoing paragraph also binds the following who receive actual notice of this Final Judgment by personal service or otherwise: (a) Defendant’s officers, agents, servants, employees, and attorneys; and (b) other persons in active concert or participation with Defendant or with anyone described in (a).

III.

IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED that, pursuant to Section 21(d)(5) of the Exchange Act [15 U.S.C. § 78u(d)(5)], Defendant is permanently restrained and enjoined from directly or indirectly, including but not limited to, through any entity he owns, operates, manages or controls, engaging in any activity that results in or is for the purpose of: (a) inducing or attempting to

1 induce the purchase or sale of binary options, other securities, or securities-based  
2 swaps, over the Internet or via email or other forms of electronic communication; (b)  
3 causing any person or entity to engage in any activity that results in or is for the  
4 purpose of inducing or attempting to induce the purchase or sale of binary options,  
5 other securities, or securities-based swaps, over the Internet or via email or other  
6 forms of electronic communication; or (c) deriving compensation from any activity  
7 inducing or attempting to induce the purchase or sale of binary options, other  
8 securities, or securities-based swaps over the Internet or via email or other forms of  
9 electronic communication. This injunction, however, shall not prohibit Defendant  
10 from buying or selling securities for his own personal account.

11 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that, as  
12 provided in Federal Rule of Civil Procedure 65(d)(2), the foregoing paragraph also  
13 binds the following who receive actual notice of this Final Judgment by personal  
14 service or otherwise: (a) Defendant's officers, agents, servants, employees, and  
15 attorneys; and (b) other persons in active concert or participation with Defendant or  
16 with anyone described in (a).

17 IV.

18 IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED that  
19 Defendant is liable for disgorgement of \$103,365, representing net profits gained as a  
20 result of the conduct alleged in the Complaint, together with prejudgment interest  
21 thereon in the amount of \$18,508, and a civil penalty in the amount of \$78,000  
22 pursuant to Section 20(d) of the Securities Act [15 U.S.C. § 77t(d)] and Section  
23 21(d)(3) of the Exchange Act [15 U.S.C. § 78u(d)(3)]. Defendant shall satisfy this  
24 obligation by paying \$199,873.00 to the Securities and Exchange Commission within  
25 30 days after entry of this Final Judgment.

26 Defendant may transmit payment electronically to the Commission, which will  
27 provide detailed ACH transfer/Fedwire instructions upon request. Payment may also  
28 be made directly from a bank account via Pay.gov through the SEC website at

1 <http://www.sec.gov/about/offices/ofm.htm>. Defendant may also pay by certified  
2 check, bank cashier's check, or United States postal money order payable to the  
3 Securities and Exchange Commission, which shall be delivered or mailed to

4 Enterprise Services Center

5 Accounts Receivable Branch

6 6500 South MacArthur Boulevard

7 Oklahoma City, OK 73169

8 and shall be accompanied by a letter identifying the case title, civil action number,  
9 and name of this Court; Ran Amiran as a defendant in this action; and specifying that  
10 payment is made pursuant to this Final Judgment. Defendant shall simultaneously  
11 transmit photocopies of evidence of payment and case identifying information to the  
12 Commission's counsel in this action. By making this payment, Defendant  
13 relinquishes all legal and equitable right, title, and interest in such funds and no part  
14 of the funds shall be returned to Defendant.

15 The Commission may enforce the Court's judgment for disgorgement and  
16 prejudgment interest by using all collection procedures authorized by law, including,  
17 but not limited to, moving for civil contempt at any time after 30 days following entry  
18 of this Final Judgment. Defendant shall pay post judgment interest on any amounts  
19 due after 30 days of the entry of this Final Judgment pursuant to 28 U.S.C. § 1961.

20 The Commission shall hold the funds, together with any interest and income  
21 earned thereon (collectively, the "Fund"), pending further order of the Court. The  
22 Commission may propose a plan to distribute the Fund subject to the Court's  
23 approval. Such a plan may provide that the Fund shall be distributed pursuant to the  
24 Fair Fund provisions of Section 308(a) of the Sarbanes-Oxley Act of 2002. The  
25 Court shall retain jurisdiction over the administration of any distribution of the Fund  
26 and the Fund may only be disbursed pursuant to an Order of the Court.

27 Regardless of whether any such Fair Fund distribution is made, amounts  
28 ordered to be paid as civil penalties pursuant to this Judgment shall be treated as

1 penalties paid to the government for all purposes, including all tax purposes. To  
2 preserve the deterrent effect of the civil penalty, Defendant shall not, after offset or  
3 reduction of any award of compensatory damages in any Related Investor Action  
4 based on Defendant's payment of disgorgement in this action, argue that he is entitled  
5 to, nor shall he further benefit by, offset or reduction of such compensatory damages  
6 award by the amount of any part of his payment of a civil penalty in this action  
7 ("Penalty Offset"). If the court in any Related Investor Action grants such a Penalty  
8 Offset, Defendant shall, within 30 days after entry of a final order granting the  
9 Penalty Offset, notify the Commission's counsel in this action and pay the amount of  
10 the Penalty Offset to the United States Treasury or to a Fair Fund, as the Commission  
11 directs. Such a payment shall not be deemed an additional civil penalty and shall not  
12 be deemed to change the amount of the civil penalty imposed in this Judgment. For  
13 purposes of this paragraph, a "Related Investor Action" means a private damages  
14 action brought against Defendant by or on behalf of one or more investors based on  
15 substantially the same facts as alleged in the Complaint in this action.

16 V.

17 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the  
18 Consent of Defendant is incorporated herein with the same force and effect as if fully  
19 set forth herein, and that Defendant shall comply with all of the undertakings and  
20 agreements set forth therein.

21 VI.

22 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that, solely for  
23 purposes of exceptions to discharge set forth in Section 523 of the Bankruptcy Code,  
24 11 U.S.C. §523, the allegations in the complaint are true and admitted by Defendant,  
25 and further, any debt for disgorgement, prejudgment interest, civil penalty or other  
26 amounts due by Defendant under this Final Judgment or any other judgment, order,  
27 consent order, decree or settlement agreement entered in connection with this  
28 proceeding, is a debt for the violation by Defendant of the federal securities laws or

1 any regulation or order issued under such laws, as set forth in Section 523(a)(19) of  
2 the Bankruptcy Code, 11 U.S.C. §523(a)(19).

3 VII.

4 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that this Court  
5 shall retain jurisdiction of this matter for the purposes of enforcing the terms of this  
6 Final Judgment.

7 VIII.

8 There being no just reason for delay, pursuant to Rule 54(b) of the Federal  
9 Rules of Civil Procedure, the Clerk is ordered to enter this Final Judgment forthwith  
10 and without further notice.

11  
12 Dated this \_\_\_\_ day of \_\_\_\_\_, 2021

13  
14 **SO ORDERED BY THE COURT**

15  
16  
17 

---

THE HONORABLE JAMES C. MAHAN  
18 UNITED STATES DISTRICT JUDGE  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28